

CITY OF DEXTER PLANNING COMMISSION BYLAWS

(As adopted on November 2, 1992)
(Amended December 5, 1994)
(Amended April 7, 2003)
(Amended July 7, 2003)
(Amended July 6, 2004)
(Amended July 5, 2005)
(Amended December 5, 2022)

ARTICLE I

A. NAME

1. The name of this commission shall be the City of Dexter Planning Commission, hereafter known as the "Commission".
2. These Bylaws are adopted by the Commission to facilitate the performance of its duties, as outlined in P.A. 33 of 2008, as amended, being the [Michigan Planning Enabling Act](#), (M.C.L. 125.3801 et seq.), hereinafter "the Planning Act".
3. These Bylaws are also adopted to facilitate the duties of the Commission for administration of a zoning ordinance, as outline in P.A.110 of 2006, as amended, being the [Michigan Zoning Enabling Act](#), (M.C.L. 125.3101 et seq.), hereinafter "the Zoning Act".

ARTICLE II

A. POWERS AND DUTIES

1. The Commission shall have such powers and duties as are granted to City Planning Commissions by the statutes of the state and any ordinance of the City, including but not limited to those powers and duties provided for in the Planning Act and Zoning Act.
2. The Commission shall make and adopt a master plan for the physical development of the city, including any areas outside of city boundaries which, in the commission's judgment, bear relation to the planning of the city.
3. It shall be the function and duty of the Commission to advise the City of Dexter City Council with regard to the proper development of the City of Dexter and its surrounding areas.
 - a. The surrounding areas comprise all areas in the sewer and water service area and any areas included in any boundary agreements to be annexed in the future to the City of Dexter.
 - b. In this regard the Commission is authorized to advise and cooperate with the Planning and Legislative Bodies of other governmental units in any areas outside the boundaries of the City of Dexter.
4. The Commission is authorized to prepare an annual capital improvement plan.

5. The Commission shall prepare and recommend for adoption, holding any required public hearings therefor, a zoning ordinance in whole or in part or repealers thereto, recommend the boundaries of districts, recommend appropriate regulations to be enforced therein, make a tentative report and/or a final report to the city council, and take such additional action as may be required by the council.
6. Ex Parte contact
 - a. Commission members shall avoid Ex Parte contact about cases where an administrative decision is before the commission whenever possible.
 - b. Despite one's best efforts it is sometimes not possible to avoid Ex Parte contact. When that happens, the member should take detailed notes on what was said and report to the Commission at a public meeting or hearing what was said, so that every member and other interested parties are made aware of what was said.
7. Site Inspections
 - a. Site inspections shall be done by the zoning administrator or other staff. A written report of the site inspection shall be orally presented to the Commission at a public meeting or hearing on the site.
 - b. If desired, no more than one member of the Commission may accompany the zoning administrator or staff on a site inspection.
8. Gifts
 - a. Gifts shall not be accepted by a member of the Commission or liaisons from anyone connected with an agenda item before the Commission.
 - b. As used here, gifts, shall mean cash, any tangible item, or service, regardless of value; and food valued over \$10.
9. Ethics and Conflict of Interest.
 - a. Each member of the Commission shall avoid conflicts of interest and act ethically, pursuant to [Ord. No. 2021-05, § 2 and § 3, 10-25-2021](#), as amended.
 - b. For the purposes of this section:
 - i. a conflict of interest is defined in [Ord. No. 2021-05, §4, 10-25-2021](#), as amended.
 - ii. prohibited actions are set forth in [Ord. No. 2021-05, §6, 10-25-2021](#), as amended.
 - iii. Treatment of conflicts of interest and disclosures/disclosure statements are set forth in [Ord. No. 2021-05, §7, 10-25-2021](#), as amended.
 - iv. Treatment of conflicts of interest violations are described in [Ord. No. 2021-05, §8, 10-25-2021](#), as amended.

ARTICLE III

A. MEMBERS

1. Members of the Commission are appointed by the City Council pursuant to the City of Dexter Planning Commission Ordinance, [Ord. No. 2-2010, eff. 3-10-2010](#), as amended.
2. The Commission shall consist of nine (9) members.

- a. One (1) member shall also be a member of the City Council, to be selected by resolution of the City Council, to serve as a member ex officio.
 - i. In no case shall the ex officio member's service on the Commission exceed the member's elected term in office.
 - ii. The ex officio member shall not be an officer of the Commission.
 - iii. The ex officio member shall have full voting rights.
- b. Eight (8) members of the Commission are appointed by the Mayor of the City of Dexter, subject to approval of the City Council of the City of Dexter, pursuant to [Ord. No. 2-2010, eff. 3-10-2010](#), as amended.
- c. The terms of each appointed member shall be three (3) years.
- d. All appointed members of the Commission may be compensated at a rate to be determined by the City Council.
 - i. The ex officio member of the Commission shall not be compensated.
- e. An appointed member shall not be employed by the City of Dexter.
- f. One (1) appointed member shall be a member of the Zoning Board of Appeals.
 - i. A member, including an ex officio member, who is also a member of the Zoning Board of Appeals shall not participate and vote on a matter the member previously decided if that matter is appealed to the Zoning Board of Appeals, pursuant to [MCL 125.3601\(13\)](#).

ARTICLE IV

A. OFFICERS AND THEIR DUTIES

- 1. Election of Officers.
 - a. The election of officers, to include a Chairperson, Vice-Chairperson and Secretary shall be held at the first regular meeting in July of every year or as needed to bring the Commission to operational status.
 - b. Nominations shall be made at an election meeting, which shall be a part of a regular meeting, and the election shall be held immediately thereafter. Voting may be by secret ballot.
 - c. A Commissioner receiving a majority vote of the members in attendance shall be declared elected and shall take office immediately. All officers shall serve for one (1) year.
 - d. All officers are eligible for reelection.
 - e. In the event the office of the Chairperson becomes vacant, the Vice-Chairperson shall succeed to this office for the unexpired term and the Commission shall select a successor to the office of Vice-Chairperson for the unexpired term.
 - f. The Commission may employ a recording secretary.
- 2. Tenure. The Chairperson, Vice-Chairperson and Secretary shall take office July 1 following their selection and shall hold office for a term of one year or until their successors are selected and assume office.

3. Duties.

- a. Chairperson's Duties: The Chairperson retains their ability to discuss, make motions and vote on issues before the Commission. The Chairperson shall:
 - i. Preside at all meetings and hearings of the Commission and shall have the duties normally conferred by parliamentary usage on such officers.
 - ii. Be one of the citizen members of the Commission and shall have the privilege of discussion in all matters before the Commission, along with the right to vote.
- b. Vice-Chairperson's Duties. The Vice-Chairperson, who shall be a citizen member of the Commission and shall act for the Chairperson in the Chairperson's absence.
- c. Secretary Duties. The Secretary, who shall be a citizen member of the Commission, shall perform such duties as the Commission may determine.
 - i. The Commission may employ a recording secretary.

ARTICLE V

A. MEETINGS

- 1. Regular meetings. Meeting of the Commission will be held the first Monday of every month at such time and place, as the Commission shall establish. When the regular meeting day falls on a legal holiday, the Commission shall select a suitable alternate day in the same month. Ann annual notice or regularly scheduled Commission meetings shall comply with P.A. 267 of 1976, as amended, (being the [Michigan Open Meetings Act M.C.L. 15.261 et seq.](#))
 - a. All meetings shall be held in a public building.
 - b. Meetings may be cancelled by the Chairperson or City for lack of business.
- 2. Special Meetings. Special meetings shall be called in the following manner:
 - a. By the Chair.
 - b. By any two members of the Commission.
 - c. By the Chair at the request of any non-member of the Commission, upon payment of a non- refundable fee, as establish by Resolution of the City of Dexter City Council, to cover costs of the special meeting.
 - d. Notice of special meetings shall be given by the Chair to members of the Commission at least forty-eight (48) hours prior to such meeting and shall state the purpose, time, day, month, date, year and location of the meeting (the Chair may delegate this function to staff). In addition, notices shall comply with P.A. 267 of 1976, as amended, (being the [Michigan Open Meetings Act M.C.L. 15.261 et seq.](#)).
- 3. Quorum. All meetings of the Commission shall require a majority of serving members, with a minimum of five (5) for a quorum.
- 4. Voting.
 - a. Voting shall be by voice and shall be recorded as passing or failing.
 - b. Roll call votes will be recorded only upon request by a member of the Commission and shall be recorded by "Ayes" or "Nays".

- c. Members must be present to cast a vote unless participating remotely as allowed by P.A. 267 of 1976, as amended, (being the [Michigan Open Meeting Act M.C.L. 15.261 et seq.](#)).
 - d. Voting by proxy shall not occur.
 - e. The affirmative vote of a majority of those present or a majority of a quorum, whichever is greater, shall be necessary for the adoption of motions.
 - f. Any action shall require a majority of votes of members present. A member of the Commission shall not vote on a question in which he has a financial interest or a conflict of interest.
- 5. All meetings of the Commission shall be held subject to the [Michigan Open Meetings Act, 1976 PA267, MCL 15.261 et seq](#) (1976).
 - 6. Parliamentary procedure in Commission meetings shall be governed by Robert's Rules of Order, unless such rules are superseded by these Bylaws or surpassed by a majority vote of Commission members attending.

ARTICLE VI

- A. Public Participation. Public Participation. All regular and special meetings, hearings, records, and accounts shall be open to the public.
 - 1. All public comment on all agenda items should be presented at the beginning of the meeting, where provided in the printed agenda. After that point during the meeting, public comment is normally not allowed; however, sometimes the Commission may direct questions to members of the public.
 - 2. Public comment is at the beginning of the meeting, so the Commission can hear concerns and questions before acting on an issue. Those making public comment are expected to be familiar with the issue and have prepared comments ahead of time. To help the public in preparing for the meeting, any written material shall be made available without cost for members of the public asking for a copy prior to the meeting.
 - 3. The Chair may limit the amount of time allowed for each person wishing to make public comment at a Commission meeting. The Chair may ask members of the audience to caucus with others sharing similar positions so they may select a single spokesperson. If a single spokesperson is selected, that individual shall be able to make public comment at the Commission meeting without time limit or an extended time limit.

ARTICLE VII

- A. ORDER OF BUSINESS – The order of business at regular meetings shall be, as follows, but may be suspended by a majority vote of the members present:
 - 1. Roll Call
 - 2. Approval of Minutes
 - 3. Approval of Agenda
 - 4. Public Hearing (If applicable)
 - 5. Pre-Arranged Citizen Participation (Comments shall be limited to 10 minutes)

6. Reports of Officers
 - a. Chairperson
 - b. Planning Commissioners and Ex officio
 - c. Committee Reports
 - d. Community Development Manager Report
7. Citizens Wishing to Address the Commission (i.e., non-arranged participation). Each speak shall be limited to 5-minutes or 10-minutes for a representative or a bona-fide group or organization).
8. Old/Unfinished Business
9. New Business
10. Proposed business for next Agenda
11. Citizens Wishing to Address the Commission - Each speak shall be limited to 5-minutes or 10-minutes for a representative or a bona-fide group or organization).
12. Adjournment

ARTICLE VIII

- A. PUBLIC HEARINGS. In addition to those required by law, the Commission may, at its discretion, hold such public hearings or conferences as it decides will be in the public interest. The procedure for a public hearing shall be as follows:
 - 1) Chair introduces case.
 - 2) Presentation of staff and consultant reviews and recommendations.
 - 3) Applicant presentation. Maximum 20 minutes allowed. All visual material presented must be projected to allow simultaneous viewing by Commission and audience.
 - 4) Chair opens public hearing and invites public to provide comments. All public commentators must state their name and address for the record. Chair reserves the right to limit individual commentators to 5 minutes, if necessary to ensure all commentators wishing to speak have an opportunity.
 - 5) Applicant response opportunity. Maximum of 5 minutes allowed.
 - 6) Planning Commission discussion and action. Motions for any approvals or denials should include reasons for such actions. Motions for tabling or adjournment should also include reasons and the date, time and place the matter will be further considered. Adjournment is normally used for continuation of a hearing without having to re-advertise.

ARTICLE IX

A. COMMITTEES

1. Ad Hoc Committees. The Commission or Chair may establish and appoint ad hoc committees for special purposes or issues, as deemed necessary. Less than a quorum may serve on an ad hoc committee at any given time.

2. Citizen Committees. The Commission, Chair, or Zoning Administrator may establish and appoint citizen committees, with the consent of the Commission. Membership can be any number, so long as less than a quorum of the Commission serve on a citizen committee at any given time. The purpose of the citizen committee is to have more citizen and municipal government involvement, to be able to use individuals who are knowledgeable or expert in the particular issue before the Commission and to better represent various interest groups in the City of Dexter.
3. Rules of Procedure of All Committees
 - a. Subservient to the Commission. All committees are subservient to the Commission and report their recommendations to the Commission for review and action. The Commission can overrule any action of any committee.
 - b. Same Principles. The same principals of these Bylaws for the Commission also apply to all committees of the Commission including, but not limited to:
 - i. Officers. Officers of committees are appointed by the Chair of the Commission at the time the committee is created, or are elected by the committee's membership at their first meeting. Officers, at a minimum, include a Chair and Secretary-Vice-Chair.
 - ii. Quorum. A committee's quorum shall be at least half the total appointed membership of the committee.
 - iii. Voting. Only those appointed members of a committee, who are present at the time of a vote shall be eligible to cast a vote.
 - iv. Attendance. If any member of a committee is absent from three consecutively scheduled meetings, then that member shall be considered delinquent. Delinquency shall be grounds for the Commission to remove any member from the committee. The committee Secretary-Vice- Chair or acting committee Secretary in the absence of the elected committee Secretary-Vice- Chair shall keep attendance records and notify the Commission of any committee member who is absent from three consecutively scheduled meetings so the Commission may consider removal of the individual from the committee or excuse the absence(s).
 - v. Minutes. The Secretary-Vice-Chair of the committee shall keep minutes of the committee meetings in the same format used by the Commission and filed in the same office as the Commission's minutes.
 - vi. Staff. Committees have reasonable use of Zoning Administrator staff time and assistance and direction for performing the work of the committee.
 - vii. Public. All committee meetings are open meetings available for public attendance and participation and minutes of the meetings are to be available for public inspection under the same principals found in P.A. 267 of 1976, as amended, (being [Michigan Open Meetings Act, M.C.L. 15.261 et seq.](#)).

ARTICLE X

A. Adoption, Repeal, Amendments

1. Upon adoption of these Bylaws of [date], they shall become effective and all previous Bylaws, shall be repealed.

2. These Bylaws may be amended or altered during a regular meeting by the affirmative vote of at least five (5) members of the Commission provided notice of the proposed change is given to the Commission at a preceding regular meeting.
3. The provisions of these Bylaws shall be reviewed by the Commission annually at the first regular meeting in July.